

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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PRODUCTION SERVICE & SALES DISTRICT  
COUNCIL PENSION FUND AND ITS BOARD  
OF TRUSTEES,

*Plaintiff,*

vs.

NORTHEASTERN PLASTICS, INC.,  
AMERICAN INTERNATIONAL INDUSTRIES,  
INC., AMERICAN INTERNATIONAL  
HOLDINGS CORP., and AMERICAN  
INTERNATIONAL TEXAS PROPERTIES, INC.,

*Defendants.*

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Civil Action No. 3:15-cv-08984-FLW-DEA

**AMERICAN INTERNATIONAL  
TEXAS PROPERTIES, INC.'S  
ANSWER TO PLAINTIFF'S COMPLAINT**

**CABRERA CAMMAROTA PLLC**

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Attorney for Defendant  
American International Texas Properties, Inc.

*March 30, 2016*

**STATEMENT PURSUANT TO L. CIV. R. 10.1**

Defendant Northeastern Plastics, Inc. (“NPI”) is a Nevada corporation headquartered at 14221 Eastex Freeway, Houston, Texas 77032. Defendant American International Industries, Inc. (“AMIN”) is a Nevada corporation headquartered at 601 Cien Street, Suite 235, Kemah, Texas 77565. Defendant American International Holdings Corp. (“AIHC”) is a Nevada corporation headquartered at 601 Cien Street, Suite 235, Kemah, Texas 77565. Defendant American International Texas Properties, Inc. (“AITP” and, together with NPI, AMIN, and AIHC, the “Defendants”) is a Nevada corporation headquartered at 601 Cien Street, Suite 235, Kemah, Texas 77565. Defendants are without knowledge or information sufficient to form a belief as to the Plaintiff’s place of incorporation or headquarters.

**ANSWER TO PLAINTIFF’S COMPLAINT**

1. Paragraph 1 is a legal contention to which no admission or denial is required.
2. AITP does not contest jurisdiction.
3. AITP does not contest venue.
4. Paragraph 4 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.
5. Paragraph 5 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.
6. AITP is without sufficient knowledge or information to form a belief as to the truth or falsity of Paragraph 6.
7. AITP is without sufficient knowledge or information to form a belief as to the truth

or falsity of Paragraph 7.

8. Paragraph 8 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.

9. AITP admits the allegations contained in paragraph 9.

10. AITP admits the allegations contained in paragraph 10.

11. AITP admits the allegations contained in paragraph 11.

12. AITP admits the allegations contained in paragraph 12.

13. AITP admits the allegations contained in paragraph 13.

14. Paragraph 14 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.

15. Paragraph 15 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.

16. Paragraph 16 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.

17. Paragraph 17 is a legal contention to which no admission or denial is required and, to the extent factual assertions are made or implied, AITP is without sufficient knowledge or information to form a belief as to its truth or falsity.

18. AITP denies the allegations contained in paragraph 18.

19. AITP admits the allegations contained in paragraph 19.

20. AITP admits the allegations contained in paragraph 20.

21. AITP denies the allegations contained in paragraph 21.
22. AITP admits the allegations contained in paragraph 22.
23. AITP admits the allegations contained in paragraph 23.
24. AITP admits the allegations contained in paragraph 24.
25. AITP admits the allegations contained in paragraph 25.
26. AITP admits the allegations contained in paragraph 26.
27. AITP admits the allegations contained in paragraph 27.
28. AITP denies the allegations contained in paragraph 28.
29. AITP denies the allegations contained in paragraph 29.

#### **AFFIRMATIVE DEFENSES**

##### **AS AND FOR THE FIRST AFFIRMATIVE DEFENSE**

30. Any such failure was due to reasonable cause and not to willful neglect pursuant to limitations on damages and penalty provisions of Section 1332.

##### **AS AND FOR THE SECOND AFFIRMATIVE DEFENSE**

31. Plaintiff's claims are barred, in whole or in part, by the equitable defenses of waiver, laches, equitable estoppel, unclean hands, and/or copyright misuse.

##### **AS AND FOR THE THIRD AFFIRMATIVE DEFENSE**

32. Plaintiff's Complaint, and each claim contained therein, fails to state any claim upon which relief can be granted.

##### **AS AND FOR THE FOURTH AFFIRMATIVE DEFENSE**

33. The claims made in the Complaint are barred, in whole or in part, because AITP is not liable for the acts of others over whom it has no control.

**AS AND FOR THE FIFTH AFFIRMATIVE DEFENSE**

34. The claims made in the Complaint are barred, in whole or in part, because AMIN is no longer the owner of NPI's shares.


**PRAYER FOR RELIEF**

**WHEREFORE**, AITP prays for judgment as follows:

- (i) That Plaintiff take nothing on its claims against AITP;
- (ii) That Plaintiff be denied any recovery whatsoever; and
- (iii) That AITP be awarded costs and any other relief to which AITP shows it is entitled.

Dated: Cranford, New Jersey  
March 30, 2016

Respectfully submitted by

  
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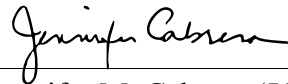
*Attorney for Defendant  
American International Texas Properties, Inc.*

**CERTIFICATION PURSUANT TO L. CIV. R. 11.2**

To the best of my knowledge, I hereby certify that the matter in controversy is not the subject of any other litigation in any other court, arbitration, or administrative proceeding.

Dated: Cranford, New Jersey  
March 30, 2016

Respectfully submitted by



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